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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X ECF Case
SAMUEL A. JUDD, 07 Civ. 7932 (GEL)(HP)

Plaintiff,

NOTICE OF MOTION

-against-

TAKE-TWO INTERACTIVE SOFTWARE, INC.,

Defendant.
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PLEASE TAKE NOTICE, that upon the annexed Declaration of Gary Trachten, dated May 1, 2008 with exhibits annexed thereto and the plaintiff's Memorandum of Law submitted herewith, and all the pleadings and proceedings heretofore had herein, the plaintiff shall move this Court before the Honorable Gerard E. Lynch, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York in Courtroom No. 6B on _____, 2008 at _____ o'clock or as soon thereafter as counsel can be heard, pursuant to Rules 7(b) and 37(a),(b) and (d) of the Federal Rules of Civil Procedure and Local Civil Rule 37.2 for an Order (a) compelling the defendant to by a date certain provide complete disclosure responsive to the interrogatories and document demands that the plaintiff served on December 31, 2007, (b) deeming waived all objections to all such discovery demands, (c) requiring the defendant to pay to the plaintiff his expenses incurred (and to be incurred) in making this motion, (d) providing

for such other sanctions that the Court deems warranted, and (e) further revising the Case Management Plan to account for the delay in the discovery process thus far.

Dated: New York, New York
May 2, 2008

KUDMAN TRACHTEN ALOE LLP
Attorneys for Plaintiff

By: /s/ Gary Trachten
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